

## **REMARKS/ARGUMENTS**

The present Amendment is responsive to the non-final Office Action mailed April 24, 2007, in the above-identified application.

Claims 1, 3-10 and 19-21 are the claims currently pending in the present application.

Claims 1, 3, 4, 6-8, 10 and 19-21 are amended to clarify features recited thereby.

Applicant thanks the Examiner for acknowledging the claim for foreign priority and the receipt of the priority document.

### ***Rejection of Claims 1, 3, 6, 7, 9, 10 and 19-21 under 35 U.S.C. 102***

Claims 1, 3, 6, 7, 9, 10 and 19-21 are rejected under 35 U.S.C. 102(b) as being anticipated by Taniyama et al., U.S. Patent No. 6,247,479. Reconsideration of this rejection is respectfully requested.

Claims 1, 19 and 20 require a single inner gas discharge port arranged eccentrically to a center of the substrate holding/rotating element, and an outer gas discharge port formed on the atmosphere blocking plate outside such single inner gas discharge port so as to continuously and annularly enclose the single inner gas discharge port in plan view.

The Examiner has previously acknowledged that Taniyama does not disclose or suggest such features (Office Action mailed September 22, 2006, pages 5-6; Office Action mailed April 24, 2007, page 2), but now rejects these independent claims on the ground that the recitation that the atmosphere blocking member does not correspond in shape and size to the substrate can be interpreted as an intended use recitation, since the claimed apparatus is defined in terms of the work piece or substrate upon which it is intended to work. Claims 1, 19 and 20 have been amended to address this issue. Therefore, this rejection should now be withdrawn, since Taniyama does not disclose or suggest the recitations of independent claims 1, 19 and 20.

Claims 3, 6, 7, 9, 10 and 21 depend from claim 1, and are therefore patentably distinguishable over the cited art for at least the same reasons.

### ***Rejection of Claims 4, 5, 8 and 9 under 35 U.S.C. 103***

Claims 4, 5, 8 and 9 are rejected under 35 U.S.C. 103 as being unpatentable over Taniyama. Reconsideration of this rejection is respectfully requested.

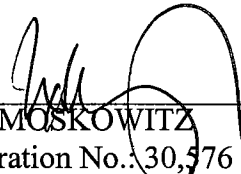
As discussed, Taniyama does not disclose or suggest the recitations of claims 1, 19 and 20 as currently amended. Therefore, since claims 4, 5, 8 and 9 depend from claim 1, these claims are patentably distinguishable over the cited art for at least the same reasons.

Accordingly, the Examiner is respectfully requested to reconsider the application, allow the claims as amended and pass this case to issue.

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